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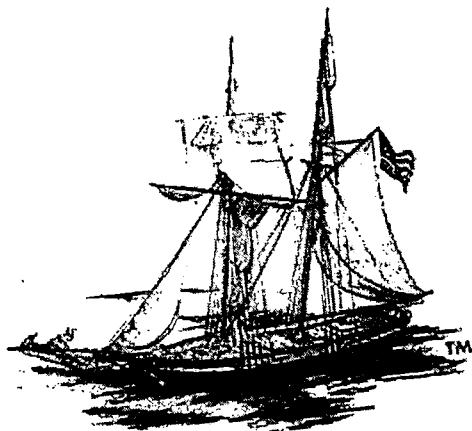
ABSTRACT

Teaching about the Amistad case provides correlations to the National Standards for History, and Civics and Government. An overview of the events of 1839 is given in this lesson plan. Seven student activities include reading and using primary source documents, writing journal articles, viewing the movie "Amistad," and giving presentations. Each of the five primary source documents provided contains an explanation of the historical context.
(BT)

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The *Amistad* Case



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Lesson Plan

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The *Amistad* Case

Teaching Activities

Standards Correlations

The following teaching activities correlate to the National Standards for History.

- Era 4 - Expansion and Reform (1801-1861)
 - Standard 2D - Demonstrate understanding of the rapid growth of "the peculiar institution" [slavery] after 1800 and the varied experiences of African Americans under slavery.
 - Standard 3B - Demonstrate understanding of how the debates over slavery influenced politics and sectionalism.
 - Standard 4A - Demonstrate understanding of the abolitionist movement.

The teaching activities also correlate to the National Standards for Civics and Government.

- Standard II. B. 1. - Explain how certain characteristics, including a history of slavery, tend to distinguish American society from most other societies.
- Standard III. B. 1.- Evaluate, take, and defend positions on issues regarding the purposes, organization, and functions of the institutions of the national government.
- Standard III. D. 1.- Evaluate, take, and defend positions on the role and importance of law in the American political system.
- Standard V. B. 1.- Evaluate, take, and defend positions on issues regarding personal rights.

Cross-curricular Connections

Share these exercises with your history, government, language arts, and drama colleagues.

Teaching Activities

1. Review with students the meanings of the following terms: schooner, brig, writ of habeas corpus, proctor, and libel. Terms are defined in the text of the online headnotes.
2. Divide students into five groups. Print out the the featured documents and the [Written Document Analysis Worksheet](#), and provide one document and a copy of the worksheet for each group. Ask each group to analyze their document. Using the jigsaw method, regroup

the students to share the information. Lead the class in oral responses to the worksheet questions, and discuss how the documents relate to one another.

3. Ask students to complete a chart similar to the one below comparing the individuals involved in the *Amistad* case. Documents #1 and #2 provide adequate information to compare Thomas R. Gedney and the Africans. Additional research will provide information on President Van Buren, the Spanish Government, the Abolitionists, and the Spanish planters.

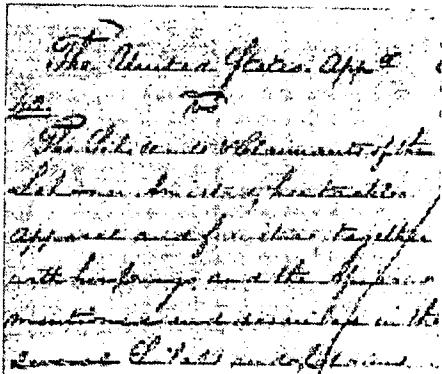
Comparison Chart						
Who?	Africans	Gedney	Van Buren	The Spanish Government	Abolitionists	Spanish Planters
What role did they play in the trial?	(defendants)	.	.	.	(financial & moral support for Africans)	.
What was their motivation?	.	(economic gain)	(political gain)	.	.	.
What were their arguments?	(property rights)
What was the basis for their arguments?	.	.	.	(Pinckney's Treaty)	.	.

4. Ask students to write an article for an 1841 newspaper describing the decision of the Supreme Court in the *Amistad* case. Encourage them to research the provisions of the Congressional Act of March 19, 1819, for background information. To insure that students recognize the differences in sectional reactions to the case, assign students particular newspapers, some in the North and some in the South.

5. Encourage students to write a review of the *Amistad* movie, comparing the film version to the actual events as described in the documents. Ask for student volunteers to share their reviews with the class. Lead a class discussion about the value of preserving the historical integrity of the story and the value of changing that story for a screenplay.

6. Following analysis of the documents, divide students into groups of five. Instruct student groups to write and stage a one-act play about the events and personalities involved in the case. The acts might focus on the formation of the *Amistad* Committee by abolitionists Lewis Tappan, Joshua Levitt, and Symeon Jocelyn; the decision by John Quincy Adams to represent the Africans; the challenges of securing translators for the Africans; and Van Buren's concerns about the election of 1840. Encourage students to quote directly from the documents. Schedule a media specialist to videotape the final productions.

7. Ask student volunteers to research and make an oral presentation to the class comparing the *Amistad* case to other significant incidents related to slavery prior to the Civil War, including Nat Turner's rebellion (1831), the *Creole* revolt (1841), and the Dred Scott decision (1857). Use the following questions to prompt comparisons: To what extent did these incidents involve violence? What were their outcomes? How did they influence



The Amistad Case

"... each of them are natives of Africa and were born free, and ever since have been and still of right are and ought to be free and not slaves . . ."

-- S. Staples, R. Baldwin, and T. Sedgewick,
Proctors for the *Amistad* Africans,
January 7, 1840

Background

In February of 1839, Portuguese slave hunters abducted a large group of Africans from Sierra Leone and shipped them to Havana, Cuba, a center for the slave trade. This abduction violated all of the treaties then in existence. Fifty-three Africans were purchased by two Spanish planters and put aboard the Cuban schooner *Amistad* for shipment to a Caribbean plantation. On July 1, 1839, the Africans seized the ship, killed the captain and the cook, and ordered the planters to sail to Africa. On August 24, 1839, the *Amistad* was seized off Long Island, NY, by the U.S. brig *Washington*. The planters were freed and the Africans were imprisoned in New Haven, CT, on charges of murder. Although the murder charges were dismissed, the Africans continued to be held in confinement as the focus of the case turned to salvage claims and property rights. President Van Buren was in favor of extraditing the Africans to Cuba. However, abolitionists in the North opposed extradition and raised money to defend the Africans. Claims to the Africans by the planters, the government of Spain, and the captain of the brig led the case to trial in the Federal District Court in Connecticut. The court ruled that the case fell within Federal jurisdiction and that the claims to the Africans as property were not legitimate because they were illegally held as slaves. The case went to the Supreme Court in January 1841, and former President John Quincy Adams argued the defendants' case. Adams defended the right of the accused to fight to regain their freedom. The Supreme Court decided in favor of the Africans, and 35 of them were returned to their homeland. The others died at sea or in prison while awaiting trial.

The Documents

Libel of Thomas R. Gedney, Lieutenant, U.S. Brig Washington,
August 29, 1839

Answer of the Proctors for the Amistad Africans,
January 7, 1840

John Quincy Adams' request for papers relating to the lower court trials of the Amistad Africans,
January 23, 1841

Opinion of the Supreme Court in United States v. The Amistad,
March 9, 1841

Statement of the Supreme Court to Circuit Court,
March 9, 1841

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sectional differences?

For Further Reading:

Jones, Howard. *Mutiny on the Amistad: The Saga of a Slave Revolt and its Impact on American Abolition, Law, and Diplomacy*. New York: Oxford University Press, 1987.

The Legal Information Institute at Cornell University has created a web site devoted to the legal issues surrounding the *Amistad* case.



National Archives and Records Administration

URL: <http://www.nara.gov/education/teaching/amistad/teach.html>

webmaster@nara.gov

Last updated: January 29, 1998



Written Document Analysis Worksheet

1. TYPE OF DOCUMENT (Check one):

- | | | |
|-------------------------------------|--|---|
| <input type="checkbox"/> Newspaper | <input type="checkbox"/> Map | <input type="checkbox"/> Advertisement |
| <input type="checkbox"/> Letter | <input type="checkbox"/> Telegram | <input type="checkbox"/> Congressional record |
| <input type="checkbox"/> Patent | <input type="checkbox"/> Press release | <input type="checkbox"/> Census report |
| <input type="checkbox"/> Memorandum | <input type="checkbox"/> Report | <input type="checkbox"/> Other |

2. UNIQUE PHYSICAL QUALITIES OF THE DOCUMENT (Check one or more):

- | | |
|---|---|
| <input type="checkbox"/> Interesting letterhead | <input type="checkbox"/> Notations |
| <input type="checkbox"/> Handwritten | <input type="checkbox"/> "RECEIVED" stamp |
| <input type="checkbox"/> Typed | <input type="checkbox"/> Other |
| <input type="checkbox"/> Seals | |

3. DATE(S) OF DOCUMENT: _____

4. AUTHOR (OR CREATOR) OF THE DOCUMENT: _____

POSITION (TITLE): _____

5. FOR WHAT AUDIENCE WAS THE DOCUMENT WRITTEN? _____

6. DOCUMENT INFORMATION (There are many possible ways to answer A-E.)

A. List three things the author said that you think are important:

1. _____
2. _____
3. _____

B. Why do you think this document was written?

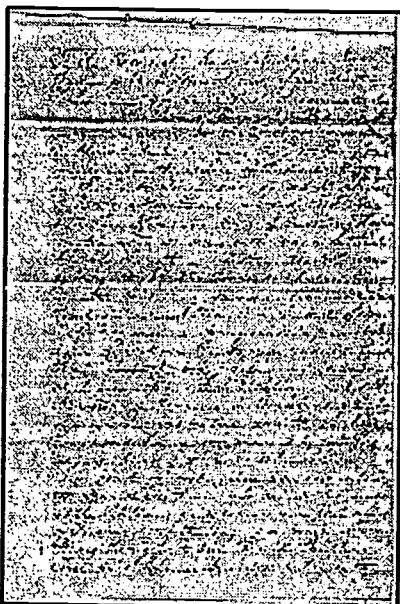
C. What evidence in the document helps you know why it was written? Quote from the document.

D. List two things the document tells you about life in the United States at the time it was written:

E. Write a question to the author that is left unanswered by the document:



Document #1



**Libel of Lieutenant Thomas R. Gedney,
on behalf of himself and the officers and crew of the U.S.
Brig *Washington*,
August 29, 1839**

National Archives and Records Administration-Northeast Region,
Waltham, MA,
Records of the District Courts of the United States, RG 21

The *Washington* was the brig that seized the *Amistad* off the coast of Long Island. Its commander was Lt. Thomas R. Gedney. In his libel, or written statement, to Judge Andrew T. Judson of the district court, he described the encounter with the *Amistad*. Because he sought salvage of the schooner and its cargo, he was very detailed in his account and itemized all of its cargo, estimating its value at \$40,000 and the value of the Africans as slaves at \$25,000. In maritime law, compensation is allowed to persons whose assistance saves a ship or its cargo from impending loss. The libelants claimed that with great difficulty and danger to themselves they recaptured the *Amistad* from the Africans. They claimed that had they not seized the vessel, it would have been a total loss to its "rightful" owners. Therefore, Gedney and his crew believed they were entitled to salvage rights. At that time in U.S. history, even individuals acting in their official capacity as officials of the government were entitled to salvage rights.

In addition, Gedney relayed that the Africans could speak only native African tongues and that one of the two Spaniards, Jose Ruiz, spoke English. Gedney included in his libel the account of the mutiny as told by Ruiz.

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United States of America
The President of the
United States of America to the
Marshal of the District of Columbia
Greeting -

Whereas a Bill is filed in
the District Court of the United States for
an Act to Abolish the Slave Trade in
Greece & Lycia and other parts the
Salem United and other articles of
Influence liberty, This Bill is in the
order following, to wit,

To the Honorable Andrew D'Ineson Esq;
Judge of the District Court of the United
States in and for the District of Connecticut.

The Libel of Thomas R Gedney Lieute-
nant in the United States Navy Commanding
the United States Surveying Brig Washington
employed in the Service of the United States
in the Coast Survey acted on behalf of Richard
W Head a Lieutenant on board said Brig
and the officers and Crew of said Brig Wash-
ington and all others interested or entitled
humbly sheweth - That on the 26th day
of August AD 1839 the said libellant being
on board said Brig Surveying between Montauk
Point & Gardiners Island in the State of New
York discovered a strange and suspicious looking
vessel off Culloden Point near said Montauk
Point. that they took possession of said vessel
which proved to be a Spanish Schooner called the
Armistad of Havana in the Island of Cuba
of about 120 tons burthen. and the said libellant
found said Schooner was manned by forty five
Negroes, some of whom had landed near
said point for water & there were also on board
two Spanish Gentlemen who represented and
as the Libellant truly believe were part owners
of the cargo of the Negroes on board who were
Slaves belonging to said Spanish Gentlemen.
That said Schooner Armistad sailed on the

28th Day of June A.D. 1839 from the Port of Havana
bound to a port in the Province of Principio.
both in said Island of Cuba under the Command
of Raymen Derry as master thereof that said
Schooner had on board and was laden with
a large & valuable cargo Consisting of an Amounting
as the Libellants believe to be 1 box with 4 forward
pieces 1 Crate 11 boxes Crockery of Glazware. 200 lbs
 Vermicelli. 15 lbs Linen Stuff. 1 Case Sugar. 25 lbs
 Beans. 25 Boxes Raisins. 50 Horse equipment. 10 lbs
 Morocco Skins. 5 Dz Calf Skins. 5 Saddles. 2 Dz Bits
 200 feet Rods. 20 Dides Sole Leather. 5 iron Drums for
 ware house. 8 Crowns 1 Box with 200 Weages. 3 Iron
 Hittles. 14 packages Common Linen. 4 packages Holland
 Linen. 4 dz parabol or umbrellas 30 pieces Muslin 10
 yds each. 2 dz p. Rose 3 dz Orange 21 Ingots. 90 lbs
 Lilecia 2 p. Victoria 3 p. Drilling 34 p. Long lawn
 34 p. Calico 5 p. Lace 14 p. Muslin 5 p. Stripes
 24 p. Stripes 148 p. Ribbons 10 p. Linen Cambric 45 p.
 Glazed Linen 4 p. Roman Cassimere 1 Dz Shawl
 Fanc. Gloves. Shirts. Tapes thread. Towels umbrellas
 29 Muslin Drap patterns 16 woolen Shawls 4 Silk
 15 Ring Buttons Saddles 75 p. Stripes 48 p. Lilecia
 30 p. Long lawn 1 p. Black HKff 3 p. French Linens
 8 Dz Linen Cambric HKff umbrellas 42 p. striped
 Robbins 2 p. Ribbons 5 Coloured Mantles 110 p.
 Linen Cambric 800 yds Striped Linen 2 p. of Marm
 30 Drap patterns 6 Musquito nets 6 p. Satin 18
 Blankets 1 box Hardware 12 Dz HKff 18 p. Coarse
 Linen 60 rolls Books. 2 Boxes Books. 70 Sheets

of Colours. Hardware 50 Demijohns Olive Oil 20 Boxes
Vermicelli 20 Quintals Turkey Beef 15 Oides Sole Leather
6 Rugs Olive 2 Quintals Hams 190 lbs Muslins 20 lbs
Straps 3 lbs Brown Drilling 4 lbs Linen 21 lbs Colours fine
Linens 11 doz Ladies Hoods 2 Doz Belts 10 doz Linen
Cantabric HdKffs 12 Common Do and a large quantity
of Silks Linens Hardware & provisions to the amount
in all of \$40,000 Dollars - And also fifty four
Slaves to wit fifty one male Slaves and three young
female Slaves who were worth Twenty five thousand
Dollars, and while on said voyage from Havana
to Principie the said Slave rose upon the Captain
& Crew of said Schooner & killed & murdered the
Captain & one of said Crew & two more of said Crew
escaped & got away from said Schooner, that the
two Spaniards on board, to wit Pedro Montez and
Jose Ruiz - remained alive on board said Schooner
after the murder of the Captain and after the said
Negroes had taken possession of said vessel of Cargo
~~that their lives were spared~~ to assist in the sailing
of said Schooner if it was demanded by said Negroes
that said schooner should be given up for their
the Board of Officers of said Pedro Montez & the others
died accordingly & then said demand of Compellence
by said Negroes all the friends of these among us the
Spaniards of us the night alerced them to
the Harbour of Cienfuegos but after some time
passed by in the Harbour they descended in Evening arms
and made their friends whom they were discovered and

be arded by the Libellants and the Said two Spanish Gentlemen begged for and claimed the aid and protection of the Libellants; that said Schooner was accordingly taken possession of & recaptured from the hands of possession of said Negro who had taken the same as aforesaid that said Schooner was brought into port of New London in the District aforesaid where she now is and said Schooner would with great difficulty exposure and danger have been taken by the Libellants but for the surprise upon the said Blacks she had prepared them of a part of whom were on Shore and but for the aid assistance and service of the Libellants the Said Vessel and Said Cargo would have been wholly lost to the respective owners thereof. That Said Cargo belongs to divers Spanish Merchants & others resident in said Island of Cuba & to the said Pedro Montes & Jose Ruiz the latter owning most of said Slaves.

Now inasmuch as the Said Thomas R Gedney of said office of Crew have with so much difficulty & danger saved said said Schooner Armistad and Said Cargo and Said Slaves which would otherwise in all human probability have been totally lost to the owners thereof respectively will your Honor please to order the said vessel to be ~~seen more to day~~ attached and taken by the process of this Honorable Court and that a motion issue to all persons concerned to show cause if any they have why a reasonable Salvage should not be denied them or to the Libellants of all other entitled

and that such further and other steps shall be
taken as the Course of this Honorable Court
shall direct — *H. R. Gedney, Esq. Com. N. Y. City*

R. W. Meade, Jr. P. Chamisoty
Louis M. S.

District of Connecticut
District Court at New London Aug 20th 1839

Personally appeared Richard W. Meade
and Meade oath to the truth of the foregoing libel
according to his best knowledge belief —

Chas A. Ingoldsby
Attest
Chas A. Ingoldsby Clerk

As I have said, that he being
employed by said District Court and the trust
thereof directed to be Agent of said
District Court of the United States for said
District to be known as the Clerk
of said District Court is entitled to issue
all necessary and proper writs there
for or cause even to take the said
Salem Smith, and the other of his
liberty mentioned in said libel into their
keeping and custody and then return about

t the value of said court being paid out
but make an account after writing
to Mr. Andrew T. Pearson, District Lawyer
of the District of Columbia at Washington
the 29th day of August A.D. 1839.

John A. Rogers Esq.

District of Columbia

Clark

New London Harbor Augt 30th 1839

Thurly Notice I give this warrant at said New London, 2 Miles
from the Harbor) I took into my custody & keeping the goods and
accrued Schooner Amherst her tackle apparel & furniture
together with her cargo labeled as aforesaid & then shall be subject
to the order of the court to who else this warrant is returnable
and the said cargo being found to be in a damaged state & ready
receiving more damage I then discharge the same & found

the cargo to inventory as follows to wit

2 Boxes Pickling 2 Hrs ea 4 Hrs. 68 Pcs in Cotton Strips and
Checks 190 Hrs, 2 pieces bottom Strips Bingham 3 $\frac{1}{4}$ Yds 1. ditto
8 Hrs, 1 doce 4 Hrs 3 pieces Pickling 5 $\frac{1}{2}$ Hrs, 1 Piece Purple Muslin
fig. 17 $\frac{1}{2}$ Yds. 4 Mosquito Nets, 5 Cotton Hkgs, 12 Blue cotton Hkgs
24 Cotton Hkgs, 3 pieces dark calico 4 Hrs 1 Piece 6th Maine 2 Hrs
1 Piece blue Satin gown 22 Hrs 10 Pcs. cotton do do, 1 set lace
Caps, 1 Box artificial flowers, 5 Piece Made up Hkgs, 1 Piece
dark Bingham & Muslin ruffles, 3 Piece Cotton lace
3 Piece Fine Cambrie 3 Piece book Muslin, 3 Pcs white
Cotton lace 1 piece couch lace, 1 piece wide Cotton lace
1 Piece Satin gown Laylock 8 Hrs 1 Doce black 11 Hrs, 1 doce
Strips & 20 Hrs 2 pieces wide cotton lace 5 pieces checkered purple
70 Hrs 4 Piece Pickling 3 $\frac{1}{2}$ Hrs 9 pieces tailoring 17 Hrs
10 pieces chevron batiste 180 Hrs 5 pieces striped Jam 95 Hrs

4 pairs check & Gingham)

9 pieces light striped - Length ave 28 $\frac{1}{2}$ yds, 1 Bale stripedicking 3 pds.
1 ditto 7 pds. 1 Box dry goods P.M. 1 Box Thread & Laces 2 pds. 1 Bale Cotton stripes
4 Checks 8 pds. 1 Box Linen 41 pds. 12 Collar Bandanas. 11 Shirts. 1 pt Cashmere
Muslin 1 h. lbs. 9 pds Gingham (each 15 yds) 135 lbs. 3 pds ditto. one dress in each
pt. 1 pt Black Marine full pts. 1 pt. ditto. 4 h. lbs. 6 pds Linen 42 $\frac{1}{2}$ yds. 3 pds
Striped Camo 40 yds. 1 pt Chenille gauge 11 yds. 3 pds Black Marine 11 yds. 5 pt Boxes plates
for Bonnetti. Part of pt. light duck. 46 pt stripes & checks 125 $\frac{1}{2}$ yds. 25 pt Gingham
87 $\frac{1}{2}$ yds. 6 pt Pickling 20 $\frac{1}{2}$ yds 1 pt Chenille 16 yds. 1 Bale dry goods R.B. At. 14. 1 Bale
ditto R.B. At. 16. 1 Bale ditto R.B. At. 12. 1 Bale ditto R.B. At. 13. 1 Bale ditto
A. 7 L. At torn off. 1 Box Umbrellas R.B. At. 18. 1 Box containing 34 coils wire & packages
and 61 long glass Knobs. 1 Box dry goods R.B. At. 4. 1 Box ditto R.B. At. 5. 1 Box ditto
T. At. 4. 1 trunk sewing apparel At. 10. (Supposed to be the Capt.) 1 Box 23 pt. galon.
6 pt Ribbons. 10 pt Gimp. 6 pt pipes. 1 Box thread & lace. 26 pds. 1 lot silk tassels
1 Box needles. 1 Box Ribbons & 2 Boxes quills. 1 Box **IT**. 40 pt Buttons. 1 Bundle
hairs 56 skins. 5 Bundles Umbrellas. 26. 22 pair Gloves. 6 Stockings. 11 British pins
7 Shirts. 3 Coats. 2 vests. 2 Clocks. 10 Black bags. 6 Empty trunks. 25 linijohns
olive oil. 196 Box w. Vermaelli **SC**. 2 Boxes ditto partly filled **SC**. 7 Boxes Cradles
SC. 1 Box Glass R.B. At. 16. 1 Box ditto R.B. At. 8. 1 Part Box charts **TH**. 12 Boxes
Castile Soap **SC**. 2 ditto part full **SC**. 1 Box dry goods T. 1 Box ditto R.B.
At. 16. 1 Box ditto. A. 7 L. At. 4. 1 Box ditto T. At. 3. 1 Box ditto T. At. 5. 1 Box
ditto P.M. 1 Box ditto R.B. At. 6. 1 Box Sops. 10 (part full). 1 Box Books At.
1 Box part full of books R.B. At. 15. 5 brackets (in last order) 1 Box stockings
R.B. At. 7. 1 Box Leather At. R. C. 1 Box Sheet. Coffin C. M. & At. 1 Box. 1 looking glass
no mark. 1 Box Crockery R.B. No. 11. 1 ditto R.B. No. 9. 1 Bale Calf Skins **TC**. No. 2.
1 ditto No. 3. 1 Box Crockery R.B. At. 4. part of full. 1 Box Household equipment **TC**. No. 1
1 Box dry goods A. 7 L. No. 11. 1 Box Crockery R.B. No. 6. 1 ditto No. 2. 1 ditto No. 2
1 empty bag. 1 empty linijohns. 1 Box pitch. **TC**. C. 1 Key snuff & N. 7 C. 1 small
oil lamp. 1 Magazine compass (bore) 1 Spy glass. 5 papers of coffee
(Ground). 2 stones. pistols, and one pocket ditto. 7 $\frac{1}{2}$ pt. dry plate done blue & green
edged. 2 tumblers. and one decorated. 8 glass dishes (long); 4 tureens (long) 2 long.

bottles (contents unknown). 1 Box dry goods A.Y. L No. 9. 1 ditto A.Y. L No. 2. 1 ditto Rob
1 ditto A.Y. L No. 8. 1 ditto A.Y. L No. 4. 1 ditto A.Y. L No. 1. 1 ditto A.Y. L No. 10. 1 ditto
A.Y. L No. 5. 6 pictures. 1 Box dry goods R.B. No. 1. 1 ditto A.Y. L No. 3. 3 iron
Pots S.C. 1 Bundle twine 46 Skins. 2 Bundles 31 sticks carriage tops. 1 Key of
iron wedges. 1 saddle. Bridle. & leather. 1 Roll Morocco skins D.C. 2 Tins. and part
Bbl pearl. 12 bags ditto (both in bad order) 1 Box Machetes E.F. (Cane Knives) 1 Key
buff E.R. 1 Box Serape. 6 Screen Augus. 1 Spike gimblet. 1 Box containing 48
packages of fancy articles. costs by R.B. 1 Roll Solo leather C.R. 4 Rolls of
Solo leather T.V. Pcs. 4. 5. 6. 7. and also a quantity jerked beef.

Arthur Morris Wallace M.D. Monroe

for East side

District of Columbia

New London Augt 1st 30 A.M 1837

They do work into my Country, & keeping the value of their journeys
proportionately, leave me forty Thres. out of the fifty four Shillings, without
Marred to work forty Shillings & three Pounds, leaving all sum odd
to find within my present, what Marves are as follows viz.
Lingay, Cuttack, Bazaar, Calcutta, Dravat, Gorakhpur, Patna,
Mawali, Dooali, Conamby, Chorolay, Burmeh 2^½, Baah, Cattah, Poornah,
Kinsa, Pooh, Darig-pp-ah, Gaah, Saarlee, Purly, Murrab, Hakanee
Nargoori, Quarto, Sape, Son, Fauric, & Karsah, Laxromany,
Patanch, Phah, Calboy, Dahgannah, Birie, Haunee, Chaknaw,
Sultow, Bonn, Dime, Ron, Dehigrar, Ha-a & those that a subject
to the power of the Court to which the Plaintiff is particularly -

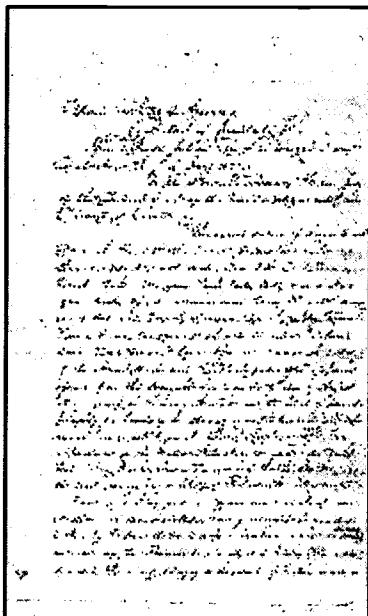
John Morris (William R. L. Marsteller
for Durkoff, Sonne, et al.)

Chancery R. Society

Chancery documents



Document #2



**Answer of S. Staples, R. Baldwin, and T. Sedgewick,
Proctors for the *Amistad* Africans,
to the several libels of Lt. Gedney, et. al. and Pedro
Montes and Jose Ruiz,
January 7, 1840**

**National Archives and Records Administration-Northeast Region,
Waltham, MA,
Records of the District Courts of the United States, RG 21**

After the *Amistad* was seized, the schooner, its cargo, and all on board were taken to New London, CT. Had it not been for the actions of abolitionists in the United States, the issues related to the *Amistad* might have ended quietly in an admiralty court. But they used the incident as a way to expose the evils of slavery and generate significant opposition to the practice. Abolitionists asked Roger S. Baldwin, a lawyer from New Haven, and two New York attorneys, Seth Staples and Theodore Sedgewick, to serve as proctors for, or represent, the Africans. The answer to the libels of Lt. Gedney, et. al. and Pedro Montes and Jose Ruiz that the proctors submitted to the district court conveyed the position of the Africans.

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United States of America
District of Connecticut
District Court held at New Haven in said
District on the 7th of January 1840.

To the Honorable Andrew T. Judson Judge
of the District Court of the United States in and for the
District of Connecticut

The several names of Sungpas Burnah,
Dannnah, Fourie 1st otherwise called Frontal Thomas, Cononah,
otherwise called Adhahalee Chevalay, Bumrah or Bush Brown,
Kumbo, Puk, Bangyatu, Saah, Carter, Parli, Mombi, Nabi,
gwo Quato, Sefi, con otherwise called Nicong. Fourie 2nd otherwise
called Peuhuah, Kinnah, Lawrence, Fagambo, Gabby, Fagambo,
Borne, Fawney, Chockman, Gabby, otherwise called Galabasa,
Carr, Temi, Nem & Mealyu African, now in the custody
of the Marshall of said District under color of process
issued from this Honorable Court on the 29th day of August
1839 against the Schooner Amistad and the articles of personal
property on board of her then lying in the harbor of New Haven
in said District, on the libel of Lieutenant J. R. Gedney
a Lieutenant in the United States Navy commanding the United
States Brig Washington in the service of the United States on
the coast survey, and on behalf of Richard C. W. Meade Lieut
on board said Brig, and the Officers and crew thereof and
all others interested or entitled, claiming salvage to be awarded
to them by this Honorable Court as for a maritimus cause, in ~~damages~~
and securing the Respondents, generally and holding them as slaves
to certain Spaniards belonging to the island of Cuba, servants in

said libels; - and also under proofs of this Honorable Court issued, and served, at Hartford, on the 18th day of September 1839, while the Respondents were in custody of the Marshall of said District as aforesaid, viz. at Hartford within the body of the State and District of Connecticut, on the libel and claim of William P. Hollister Esq., United States District Attorney for said District of Connecticut, and the libels respectively of Pedro Monte & Son, New Haven, and also under proofs of the Honorable Court issued at Hartford aforesaid on the 19th day of November 1839 on the claim and representation of the said District Attorney then and there made and filed.

The said respondents severally, by protestation, not admitting, acknowledging that the Government of the United States, or any Department, County, or office thereof hath jurisdiction over the persons of those Respondents or any of them, by reason of any of the allegations & proceedings aforesaid, & not confessing, or acknowledging, any of the matters & things in the libellants said several libels & claims to be true in manner and form in the same are herein and thereby alleged to appear before the Honorable Court, and for answer to the several libels, claims & representations aforesaid severally say,

That they and each of them are natives of Africa, and were born free, and ever since have been and still are of right, are and ought to be free and not slaves, as is in said several libels or claims pretended or surmised; - that they were never domiciled on the Island of Cuba, or in the dominions of the Queen of Spain, or subject to the laws thereof; - that on or about the 15th day of April 1839, they and each of them were in the

Lands of their maturity unlawfully kidnapped and forcibly
and wrongfully by certain persons to them unknown, who were
then and there unlawfully and positively engaged in the Slave
trade, between the Coast of Africa and the island of Cuba,
contrary to the rule of law. Respondents unlawfully, and under
circumstances of great cruelty, transported to the said island of
Cuba, for the unlawful purpose of being sold as slaves,
and were there illegally handled for the purpose aforesaid.

That the said Pier or Monte also knowing all the premises,
and confederating with the persons by whom the
Respondents were unlawfully taken and held as aforesaid,
and intending to deprive the Respondents severally of their
liberty, made a pretended purchase of the said Respondents
except the said Ramon Hernandez and Mahayou, and that the
said Pedro Almonter also well knowing all the premises
confederating with the said persons for the purpose aforesaid
made a pretended purchase of the said Ramon Hernandez
and Mahayou. That said pretended purchase was made from
persons who had no right whatever to the Respondents or any of them
and that the same were false and void, and conferred no
right or title on the said Pier or Monte or right of control
over the Respondents or either of them. That afterwards on
or about the 28th day of June 1839 the said Pier Almonter
confederating with each other and with one Schoone Amstel
deceased, Capt. of said Schooner Amstel & others of the crew
thereof caused the Respondents severally without law or right under
color of certain false and fraudulent papers by them procured
fraudulently, made for that purpose to be placed by force on
board a said Schooner to be transported with said Pier

50. and a Monitor to some place unknown to the Respondents, and
there enslaved for life. — That the Respondents, being treated
on board said Ships by said Penn and Monitor, and their
Confederates with great cruelty and oppression, and being of
mortal free as aforesaid, were invited by the love of liberty and
equal to all men, and by the desire of returning to their families
and kindred, to take possession of said Ships while passing
the High Seas, as they had right to do with the intent to
return them to their native Country or to seek an asylum in
some free State where slavery did not exist, in order that they
might enjoy their liberty under the protection of its Government
— that D Schooner on or about the 26th of August 1839, arrived
in the possession of the Respondents at Culloden point in the Cullen
Bay and was then anchored near the shore of Long Island in
water bearing distance thereof and within the waters and territory
of the State of New York — that the respondents, Sergeant Carter,
Darmah, Daah, Monah, Achigoo Quato, Coon, Bayanah, Brown
Gatto, Fortune Kumbo, Faguminal, Bourne, Johnstone, called Naran
Brown, by alias Burnet, Alabama, Faum-Peek, Butchard, while
said Schooner lay at anchor as aforesaid went on shore without
the State of New York to procure provisions and other necessities
and while there in a State where slavery is unlawful and does not exist
under the protection of the Government and laws and Constitution by which
they were all free, whether on board of said Schooner, or on shore the
Respondents were severally secured, as well those who were on shore
as aforesaid as those who were on board of said Schooner of said
Schooner by the said Sergeant Carter, his officers and crew of said
United States Brig Wm. H. Ross, without any lawful warrant or authority
whatever, at the instance of said Spaniards, Penn and Monitor, with

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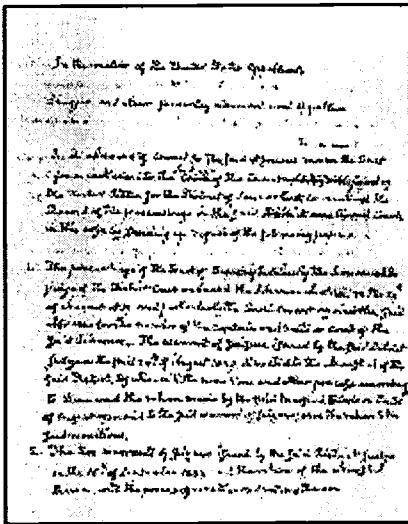
the intent to keep and secure them as slaves to the said Puerto Rico and
Honduras respectively and to obtain an award of salvage therefrom from the
Honorable Court as for a piratical act. That for that purpose the
Respondent was by the said Fleet Captain, his officers and crew
aboard, forcibly and unlawfully withdrawn from the jurisdictional
limits of the State of New York and brought to the port of New Haven
aforesaid and while there and afterwards under the subsequent
proceedings in this Hon' Court taken into the custody of the Marshal
of said District of Connecticut and confined and held in the
goal in the cities of New Haven and Hartford respectively as aforesaid.
Wherefore the Respondent severally pray that they and each of
them may be set free, as they of right are and ought to be, and
that they be released from the custody of the Marshall under the
process of this Hon' Court under which or under color of which they
are held as aforesaid.

S. P. Staples, A. S. Baldwin, Proctors
& T. Sedgwick

See at same ~~district~~ County before
at New Haven in said district on the 7th day of
January A.D. 1840, here in open Court, come
one Antonio Tellises and the Consul of Spain &
Lima, subjects of the Queen of Spain, and by
order of the Court file their claim in the
manner following to wit:



Document #3



John Quincy Adams' request for papers relating to the lower court trials of the *Amistad* Africans, January 23, 1841

National Archives and Records Administration, Records of the Supreme Court of the United States, RG 267

After the Federal District Court ruled in favor of the Africans, the U.S. District Attorney filed an appeal to the Supreme Court. In the trial before the Supreme Court, the Africans were represented by John Quincy Adams, a former U.S. President and descendant of American revolutionaries. Preparing for his appearance before the Court, Adams requested papers from the lower courts one month before the proceedings opened. For 8 ½ hours, the 73-year-old Adams passionately and eloquently defended the Africans' right to freedom on both legal and moral grounds, referring to treaties prohibiting the slave trade and to the Declaration of Independence.

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In the matter of the United States Appellants

Bengala and others generally claimants and appellees

I. 2. ~~Adams~~ of Counsel for the said Africans move the Court
for a certificate to the Clerk of the Circuit Court of the
United States for the District of Connecticut, to furnish the
Record of the proceedings in the said District and Circuit Courts
in this case by sending up copies of the following papers.

1. The proceedings of the Court of Enquiry holden by the Honourable
Judge of the District Court on board the Schooner Amistad on the 29th
of August 1839, and particularly the Indictment against the said
Africans for the murder of the captain and mate or cook of the
said Schooner. The warrant of seizure issued by the said District
Judge on the said 29th of August 1839, directed to the Marshal of the
said District, together with the musters and other process according
to Law and the return made by the said Marshal made on the 30th
of August aforesaid to the said warrant of seizure; and the return of the
said musters.
2. The two warrants of seizure issued by the said District Judge
on the 18th of September 1839 and the returns of the Marshal
thereon with the process of muster and return thereon.

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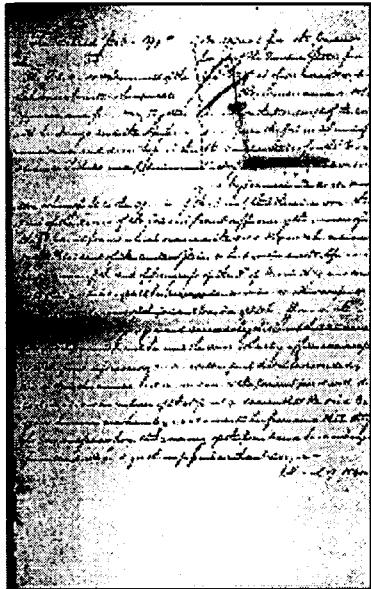
3. The warrant of seizure issued by the said District Court on the 19th of September 1839, and the return of the Marshal thereon.
4. The instructions of the judge of the Circuit Court to the Grand Jury on the
4. The Bill of Indictment filed by the District Attorney against the said Africans for the murder of the Captain and Cook of the Amistad, and also for piracy; and the proceedings of the Grand Jury, and the instructions of the Circuit Court to the said Grand Jury thereon.
5. The suit of Slave's Corps in behalf of the said Africans was on the said 18th or 19th of Sept. 1839, taken, and the decision of the said Circuit Court thereon.

3. 2nd date.

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Document #4



Opinion of the Supreme Court in *United States v. The Amistad*, March 9, 1841

National Archives and Records Administration,
Records of the Supreme Court of the United States, RG 267

Senior Justice Joseph Story wrote and read the decision of the Supreme Court. The Court ruled that the Africans on board the *Amistad* were free individuals. Kidnapped and transported illegally, they had never been slaves.

Although Justice Story had written earlier that ". . . it was the ultimate right of all human beings in extreme cases to resist oppression, and to apply force against ruinous injustice," the opinion in this case more narrowly asserted the Africans right to resist "unlawful" slavery.

The Court ordered the immediate release of the *Amistad* Africans.

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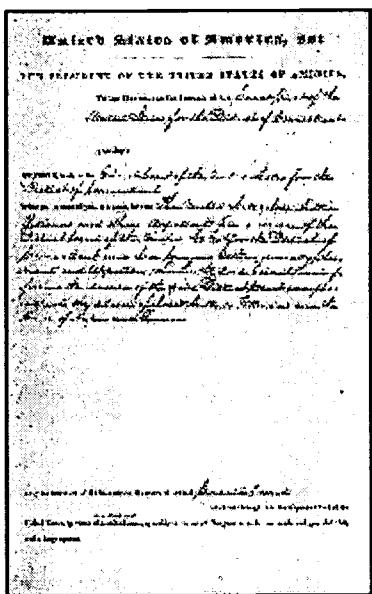
The United States. App 5. { On appeal from the Circuit Court of the District of Connecticut for the District of Columbia. This cause came onto be heard by the Circuit Court of the District of Columbia for the District of Columbia, and the cause was argued by counsel. It is the opinion of this court, that there is no such part of the decree of the Circuit Court affording the slaves of the District Court which ordered the said Negroes to be delivered to the President of the United States to be transported to Africa in pursuance of the Act of Congress of the 3d of March 1819; and that as to that part it ought to be reversed, and in all other respects the original decree of the Circuit Court ought to be affirmed. It is the opinion of this court, that the slaves of the Circuit Court had the slaves sold for and paid for and the same is hereby affirmed except as to the part aforesaid, and as to that part, that it be reversed; and that the cause be remanded to the Circuit Court with directions to enter in full of that part a decree that the said Negroes be and are hereby declared to be free and that they be discharged from the authority of the court and be discharged from the suit and go thereof forthwith day.

March 9. 1841.

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Document #5



Statement of the Supreme Court to Circuit Court, March 9, 1841

National Archives and Records Administration,
Records of the Supreme Court of the United States, RG 267

Following its decision, the Supreme Court submitted this statement to the lower court where the case originated. The statement indicated that the decision of the circuit court was in part upheld and in part reversed. The part that was upheld related to the freedom of the Africans. The part that was reversed related to Judge Andrew T. Judson's application of the Congressional Act of March 3, 1819. Judson's decision authorized the President to return the Africans to Africa. Ultimately, the abolitionists arranged for their return in early 1842.

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United States of America, etc.

THE PRESIDENT OF THE UNITED STATES OF AMERICA,

To the Honorable the Judges of the Circuit Court of the
United States for the District of Connecticut

greeting:

WHEREAS, lately, in the Circuit Court of the United States for the
District of Connecticut,
between you, or some of you, in a cause, between The United States, Jose Antonio
Tellez and others Appellants from a decree of the
District Court of the United States for the District of
Connecticut and Jose Domingo Esteban, severally claim-
ants and Appellees wherein the said Circuit Court af-
firmed the decree of the said District Court except as
respects the claims of Jose Antonio Tellez and the
House of Representatives

as by the inspection of the transcript of the record of the said Circuit Court
which was brought into the Supreme Court of the
United States, by virtue of a writ of certiorari according to the act of Congress in such case made and provided, fully
and at large appears.

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And whereas, in the present term of January in the year of our Lord one thousand eight hundred and forty six the said cause came on to be heard before the said Supreme Court, on the said transcript of the record, and was argued by counsel; on consideration whereof,

This is the opinion of this Court that there is error in that part of the decree of the Circuit Court affirming the decree of the District Court which ordered the said Negroes to be delivered to the President of the United States to be transported to Africa in pursuance of the Act of Congress of the 3d of March 1819, and that as to that part it ought to be reversed, and in all other respects that the decree of the Circuit Court ought to be affirmed. It is therefore ordered, adjudged and decreed by this Court that the decree of the said Circuit Court be and the same is hereby affirmed except as to the part aforesaid, and as to that part that it be reversed; and that the cause be remanded to the Circuit Court with directions to enter in favor of that part a decree that the said Negroes be and are hereby declared to be free and that they be discharged from the custody of the Court and be discharged from the suit and go thereof garrisoned day.

March 9th

You, therefore, are hereby commanded that such further proceedings be had in said cause, in conformity to the opinion and decree of this Court as according to right and justice, and the laws of the United States ought to be had, the said Appellant notwithstanding;

WITNESS the Honorable Roger B. Taney Chief Justice of said Supreme Court, the Second Monday of January in the year of our Lord one thousand eight hundred and forty six.

Clerk of the Supreme Court of the United States

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